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13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) No. CR 08-0190 JSW
18 Plaintiff,)
19 v.)
20 EFRAIN CASTILLO-CHUN,)
21 Defendant.)
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STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME FROM MAY
15, 2008 THROUGH JUNE 5, 2008

21 On May 15, 2008, the parties in this case appeared before the Court for a status conference.

22 At that time, the parties stipulated that time should be excluded from the Speedy Trial Act
23 calculations from May 15, 2008 through June 5, 2008, for effective preparation and continuity of
24 defense counsel. The parties represented that granting the continuance was the reasonable time
25 necessary for effective preparation of defense counsel, taking into account the exercise of due
26 diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the

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1 ends of justice served by granting such a continuance outweighed the best interests of the public
2 and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

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4 SO STIPULATED:

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7 Derek Owens

8 DEREK R. OWENS
9 Assistant United States Attorney

10 Jodi Linker

11 JODI LINKER
12 Attorney for Mr. Castillo-Chun

13 As the Court found on May 15, 2008, and for the reasons stated above, the Court finds that
14 an exclusion of time between May 15, 2008 through June 5, 2008, is warranted and that the ends
15 of justice served by the continuance outweigh the best interests of the public and the defendant in
16 a speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance
17 would deny defense counsel the reasonable time necessary for effective preparation, taking into
18 account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C.
19 §3161(h)(8)(B)(iv).

20 SO ORDERED.

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22 DATED: June 4, 2008

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24 THE HONORABLE JEFFREY S. WHITE
25 United States District Court Judge

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28 STIP. AND ORDER
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